

# KIRKBY MALZEARD, LAVERTON AND DALLOWGILL PARISH COUNCIL

## MINUTES OF THE PARISH COUNCIL MEETING

on Monday 26<sup>th</sup> June 2021 held in the Main Hall of the Mechanics Institute, Kirkby Malzeard

The meeting commenced at 7.30pm. Councillors Pippa Manson (Chair) Peter Saxon (vice chair) Geoffrey Berry, Fiona Robertshaw, Jane Aksut, Geoff Lobley and Chris Floyd with District Cllr Nigel Simms and County Cllr Margaret Atkinson. (Cllr Atkinson left the meeting before item 8)

### AGENDA

**1. Welcome. Apologies for absence from Councillors – approve reason why unable to take part.**

None

**2. Declarations of Disclosable Pecuniary Interest, Other Interests or Close Association**

None

**3. Approve the Minutes of the Parish Council meeting held on 24<sup>th</sup> May 2021**

The minutes were approved as a true record and were signed as such by the Chair.

**4. Correspondence – any urgent items will be raised by the Clerk for consideration and action.**

- a) North Yorkshire Police – localised Police report - Noted
- b) Resident – Concern regarding parking around the green on Saturday mornings – The Parish Council will suggest that the resident speaks to Highside Playing Fields and the organisers of the Football and ask them to request that parents park more considerately.
- c) NYCC - NYCC Roadshow promoting the new Yor Bus app – Information will be made available on the Website and in poster form to encourage use of this facility.

**5. Urgent updates from County and District Councillors if present.**

- NYCC have replaced street lights with LED lights at cost of 8 million pounds, the saving is expected to be 1.25 million pounds per year.
- Phase 4 of the super-fast broadband plan has been approved and is expected to run until March 24, at which point 98% of NYCC residents will have access to broadband.
- The work required at Kex Gill (Bubberhouses Moor) has gone out to tender.
- The Yorkshire Show will go ahead over 4 days, tickets must be purchased in advance.

**6. Planning – recent Applications made to Harrogate Borough Council where the Parish Council have not consulted: none**

**7. Planning – notification of recent Decisions made by Harrogate Borough Council:**

- a) 21/01215/FUL - Mount Pleasant Farm Laverton - Erection of part two storey part single storey extension. Robinson. Permitted

- b) 21/00906/FUL - The Laurels Laverton Village Laverton - Conversion and extension of existing outbuilding including raising of roof to form 1 no. dwellinghouse. Abrahams. Permitted
- c) 21/01408/FUL - Kirkby Moor Road Farm Kirkby Moor Road Kirkby Malzeard - Conversion of stores to form 1no. bedroom residential annex to Kirkby Moor Road Farm. Broadle. Permitted
- d) 21/00172/REM - Land Comprising OS Field 5419 Galphay Road Kirkby Malzeard. Reserved matters application for the erection of 1 no. dwelling (Appearance, Landscaping, Layout and Scale considered) under Outline Permission 19/03477/OUT - Atkinson. Permitted
- e) 21/01714/FUL - North View, Main Street, Kirkby Malzeard Malzeard - Conversion of small retail shop to ancillary residential use to North View including raising roof height and single storey extension and installation of rooflights; conversion of roof space of North View to additional living accommodation including the installation of roof light windows; alterations to fenestration and other external works including alterations to driveway and parking; installation of sliding gate; and landscaping. RILEY. Permitted
- f) 20/04366/FUL - Mowbray Park Farm, Ripon Road, Kirkby Malzeard - erection of roof over existing muck store - Atkinson. Permitted

**8. Planning - recent Applications made to Harrogate Borough Council. The Parish Council will provide a response on the following cases:**

- a) 21/01670/CLEUD - Mowbray Park Farm, Ripon Road, Kirkby Malzeard - Application for certificate of lawful development for the continuing occupancy of the property by Mr and/or Mrs H V Atkinson without complying with the agricultural occupancy restriction (condition 2 of outline permission 91/02963/OUT and condition 6 of reserved matters permission 92/01955/REM). Atkinson. **Decision B – The Parish Council has the following comments to make:** The Parish Council feel that Mowbray Park Farm should retain its agricultural property occupancy restriction on the basis that it is a functioning farm.
- b) 21/02451/FUL - Mowbray Park Farm, Ripon Road, Kirkby Malzeard - Erection of an agricultural building. Atkinson **Decision A – The Parish Council has no objections.**
- c) 21/01810/FUL – Ringbeck, Ringbeck Road, Kirkby Malzeard - Erection of stables - Moor. **Decision A – The Parish Council has no objections.**
- d) 21/00411/FUL - St Andrews House, Main Street, Kirkby Malzeard - Demolition of existing single storey stone garage building & boundary wall and erection of new two storey garage & home office / studio and new stone boundary walls. Forge Interiors Ltd. **Decision B – The Parish Council objects on the planning grounds set out below:** The Parish Council feel that the new two storey garage and home office should be in keeping with surrounding properties and wish to see it stone clad rather than timber clad.
- e) 21/01770/FUL - The Laurels, Laverton Village, Laverton - Erection of Equestrian stables and associated facilities - Abrahams. **Decision C – The Parish Council does not object or supports but wishes to make comments to seek safeguards as set out below:**  
The Parish Council has concerns regarding the extension of the current curtilage into a previously green field especially that very recently an application to turn an existing outbuilding into a dwelling house, rather than use as stables, was permitted.

- f) 21/02221/FUL - Village Farm, Laverton - Conversion of agricultural buildings to single dwelling - Riley. **Decision C – The Parish Council does not object or supports but wishes to make comments to seek safeguards as set out below:** The Parish Council are comfortable with a property within the existing curtilage, but given concerns regarding the access road, they feel that this should be the extent of the development.

## **9. Planning – Enforcement issues.**

- a) One new issue was raised.

**Action: Clerk to contact enforcement officer**

- b) No updates were available from the enforcement officer.

**Action: Clerk to contact enforcement officer for an update on existing cases**

## **10. Planning - Assets of Community Value**

- a) Nomination of the Queen's Head Pub as an Asset of Community Value – Cllr Saxon has now submitted the application to HBC.

## **11. Children's Play Area.**

- a) Cllr Saxon confirmed that there were no new issues with the Play Area.  
b) Proposals for any developments will be brought to a future meeting.

- 12. Traffic safety** – The purchase of the data logger at a cost of £1955.78, using the funding of £1321.60 received from the AJ1 fund was approved.

**Action: Clerk to contact Parish Council insurers to confirm cover for this equipment.**

## **13. Property Assets.**

- a) No issues of concern were noted by Councillors or members of the public. The Parish Council wish to thank Cllr Lobley for repairing the bench near the Green.  
b) Lamberts Quarry – Residents will be consulted as to whether they wish to remove the nettles manually before the Parish Council consider plans for spraying.

**Action: Cllr Askut to consult with residents- put on July agenda**

- 14. School Bus** – The Parish Council agreed that Cllr Aksut should gain information in regards to appropriate action required to challenge the cancellation of school bus provision.

**Action: Put on July agenda**

## **15. Trees.**

- a) Cllr Floyd has agreed to take the lead with the trees on Parish council land, he will meet with a local company at the end of the summer to complete a survey of the Parish Council's trees.  
b) The Chair has been informed that the Ash tree in the play area will need removing in the future due to Ash dieback. A quote for the cost of this work will be provided for consideration.  
c) The Parish Council agreed to support the plan proposed by a resident for woodland planting on his land bordering Kex Beck.

**Action: Chair to inform resident**

## 16. Highways issues.

- a) No new updates on existing cases.
- b) Church Wall collapse – Cllr Aksut is currently in discussion with HBC who have agreed to confer with engineers and the Strategic Property team about our concerns. Cllr Aksut has reiterated the fact the no further delays to the work would be acceptable.
- c) Laverton 30mph Zone – still no speed limit signs. Clerk has contacted NYCC Highways department.
- d) New items
  - Concrete bench on Laverton Road had collapsed, has been righted by someone but is not secure. It was suggested it may have been damaged by NYCC Highways when cutting verges.

**Action: Clerk to ask Highways**

- Unsafe footpath stiles on Back Lane going towards Long Swales Lane and Church Bank  
**Action : Resident has been asked for specific location, Clerk to then report to Highways**

**17. Finance Documents 2020-21.** The following documents on which the Accountability Return is based were all considered and approved;

- a) Receipts
- b) Payments
- c) Bank Reconciliation
- d) Cash Book
- e) Asset and Investment Register as at 31 March 2021

## 18. Annual Governance and Accountability Return 2020-21 – Exemption and Auditors Report.

- a) The Certification of Exemption (Page 3) confirming that the Council is exempt from External Audit was approved. Certificate signed by Chair and Clerk. **Action: Clerk to submit Certificate of Exemption to the External Auditors within the deadline period.**
- b) The Annual Internal Audit Report (Page 4 of AGAR) provided by Janet Bennett of Yorkshire Internal Audit Services was considered together with the additional best practice guidance notes she provided.
- c) Payment of invoice for Auditor's fee, payable to YIAS, of £225, was approved. **Action: Clerk to arrange payment.**
- d) Consideration of the auditor's recommendations to pay Clerk via monthly bank transfer was deferred until the July meeting.

**Action: Cllr Berry to look into this. Put on July agenda**

## 19. Annual Governance and Accountability Return 2020-21 – Governance.

- a) The Annual Governance Statement (Page 5 of AGAR) was considered and approved. Statement was signed by Clerk and Chair

## 20. Annual Governance and Accountability Return 2020-21 – Finance.

- a) The Accounting Statements 2020-21 (Page 6 of AGAR) were considered and approved. Statement signed by Chair and Clerk.

## 21. Annual Governance and Accountability Return 2020-21 – Publication.

- a) Approve the publication of the AGAR documents on website and noticeboard in accordance with the requirements of Accounts and Audit Regulations 2015, the Local Audit (Smaller Authorities) Regulations 2015 and the Transparency Code for Smaller Authorities, to include the Notice of the period for the Exercise of Public Rights was approved.

## 22. Financial Items:

- a) The Bank statement showed a balance of £16,210,76  
b) Cash Book. Reconciliation with bank statement noted by Council  
c) The following payments (including VAT where applicable) were approved.

Payee	Amount	Item Paid For
Clerk Reimbursement	£3.49	Printer Ink
Clerk	£17.50	Salary back Pay
Yorkshire Internal Audit Services	£225.00	Internal Audit
Morgan's	£467.00	Grass Cutting
Kirkby Malzeard Methodist Chapel	£15.00	Hall Hire – Neighbourhood Plan Steering Group Meeting

## 23. Any Other Business.

- Missies Lane – reported that some contractors have been removing branches and throwing them into the hedgerows.
- Water leak from a fire hydrant on Main Street – has been reported to the Fire Brigade.
- Grass verges – Some issues have been raised –add to July Agenda.
- Resident's concerns about dog waste and request more bins - add to July Agenda.
- The Parish Council wishes to thank Nigel Robertshaw for all his work on the phone kiosk.
- Concerns have been raised that the young farmers believe that it is legal for them to use their phones while driving a tractor, as long as it is plugged in, as they believe it acts as a CB Radio – NY Neighborhood Police have been informed.

**24. Date of next ordinary meeting:** Monday 26<sup>th</sup> July 2021 at 7.20pm in the Main Hall, Mechanics Institute, Main Street, Kirkby Malzeard. Any items to go on the Agenda for the Council meeting should be submitted to the Clerk by 21st July 2021 please.

**Meeting Ended at: 21:25**

Dated 23/06/2021

**PARISH CLERK:** Victoria Preston, 17 Cypress Gardens, Ripon, HG4 2LT (Postal enquiries only) Tel: 07725801675 Email: [clerk.kmldpc@outlook.com](mailto:clerk.kmldpc@outlook.com) Agenda, along with General Privacy Notice, also available on the Parish Council website: [www.kirkbymalzeardarea.org.uk](http://www.kirkbymalzeardarea.org.uk) Facebook: @kmldpc

